



STANFORD UNIVERSITY MEDICAL CENTER

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STANFORD UNIVERSITY SCHOOL OF MEDICINE
Department of Genetics

Honorable Paul G. Rogers
House of Representatives
Washington, D.C. 20515

Dear Mr. Rogers,

The Conquest of Cancer Act, S.1828, will I believe shortly be before your subcommittee. I have, needless to say, been deeply gratified by the resurgent interest of the Congress in mobilizing scientific resources for the conquest of cancer. While I would perhaps had given heavier weight to prevention than to the cure of this disease as a feasible and important objective, the purposes of this new legislation are beyond reproach.

Enclosed is some correspondence that I have had with the Senate Subcommittee prior to the enactment of S.1828. I am not an enthusiastic supporter to the particular administrative structure formulated in the Senate bill but it is far better than it might have been. Above all, nothing is established that would be too costly to reverse if further experience so dictated it. I would be tempted to let the matter rest at this compromise with the feeling that more wrangling would probably accomplish more harm than good.

There is just one item in S.1828 that I would call to your particular attention. Section 407G (1) states that "The board shall insure that the Director, by regulations, maintains scientific peer review of research grants and programs".

This is a crucial change from the orientation of the original proposals for a new Cancer Authority, and as you may note from the correspondence it represented my point of divergence from that of the legislation that was drawn up in response to the panel report.

My only concern is that no explicit machinery or administrative authority accompanies this responsibility on the part of the board. One might argue that the board would be capable of redressing any violations of this principle by its implied authority to ventilate any criticism that it may have in the administration of the act. However, if the board is sustained in a traditional relationship with the director the advice of the board will be transmitted to the director, be subject to his sole administrative discretion, and this conceivably may lead to some very difficult impasses.

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Perhaps paragraph (h) confers a certain independence on the board with respect to reporting its findings but at a minimum it would be most important to have this clearly understood and implied in the legislation itself. I would in fact again urge that the board have a more far reaching authority, namely to prescribe the regulations by which the director shall maintain scientific peer review.

(1) may have this intent but I am not sure that it will be read unambiguously as conveying the requisite authority.

This role for the board would be a logical extension, an improvement, of the existing responsibility that inheres in most of the national advisory health councils to approve individual grants. I would agree that this is a cumbersome responsibility and I would indeed urge that the board have the role of prescribing the framework of approval rather than being required to undertake the rather symbolic role of approving each individual grant.

Given this reinterpretation, the Senate bill is unlikely to do very much mischief and is capable of accomplishing very much good. I hope that you will then be able to give it your own approval as a constructive compromise.

Sincerely yours,

Joshua Lederberg
Professor of Genetics

JL/rr